

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1995**

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HOUSE BILL 505  
Committee Substitute Favorable 3/29/95  
Committee Substitute #2 Favorable 4/27/95

Short Title: Gaston City and Town Assessments.

(Local)

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Sponsors:

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Referred to:

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March 20, 1995

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW THE CITIES OF GASTONIA, BELMONT, AND MOUNT  
2 HOLLY AND THE TOWN OF STANLEY TO MAKE CERTAIN ASSESSMENTS  
3 OUTSIDE THE CORPORATE LIMITS.  
4

5 The General Assembly of North Carolina enacts:

6 Section 1. In exercising the authority granted under Article 16 of Chapter  
7 160A of the General Statutes to extend and operate public enterprises outside the  
8 corporate limits, the governing body of a city or town shall specially assess all or part of  
9 the costs of constructing, reconstructing, extending, building, or improving water supply  
10 and distribution systems or sewage collection and disposal systems or both such systems  
11 or any part thereof, outside the corporate limits of the city or town against property  
12 benefited therefrom; provided, however, no special assessment shall be levied unless and  
13 until a valid petition for such improvements has been submitted to the city or town by the  
14 owners of the property affected. In order to be valid, the petition must be signed by at  
15 least a majority in number of the owners of property to be assessed, who must represent  
16 at least a majority of all of the lineal feet of frontage of the lands abutting the water or  
17 sewer improvement. Special assessments levied pursuant to this section shall be levied  
18 and collected in the same way and under the same authority and procedures as special

1 assessments levied and collected by the city or town upon property within the corporate  
2 limits.

3           Notwithstanding the provisions of G.S. 160A-237, the resolution levying an  
4 assessment pursuant to this section may provide that, upon application to the governing  
5 body of the city or town, the assessment be held in abeyance without interest when the  
6 household income of a residence benefited by the improvements does not exceed the  
7 most recent poverty threshold set by the United States Department of Labor. An  
8 assessment that is held in abeyance under this section shall be held until the earliest of the  
9 following:

- 10           (1) Improvements on the assessed property are actually connected to the  
11 water and sewer system for which the assessment was levied and the  
12 improvements are working properly.  
13           (2) The property benefited is transferred.  
14           (3) A date certain not more than 20 years from the date of confirmation of  
15 the assessment roll.

16           The remaining provisions of G.S. 160A-237 shall govern the assessments held  
17 in abeyance.

18           Sec. 2. This act applies only to the Cities of Belmont, Gastonia, and Mount  
19 Holly and the Town of Stanley.

20           Sec. 3. A city or town that is subject to this act and assesses property outside  
21 its corporate limits may not involuntarily annex any of the assessed property for a period  
22 of 15 years from the date the property is assessed.

23           Sec. 4. This act is effective upon ratification.